



Christine A. Amalfe
Director

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April 19, 2024

VIA ECF

MEMO ENDORSED

Honorable Jessica G.L. Clarke, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

Re: Parker v. Bursor
Docket Number: 24-cv-245 (JGLC)(RFT)

Dear Judge Clarke:

This office has appeared today as co-counsel for both Defendants in the above-referenced matter. As the Court is aware, Plaintiff's complaint and various other filings related to the Complaint are currently under seal pursuant to Your Honor's Order of January 25, 2024. There is also a Report and Recommendation by Magistrate Judge Robyn F. Tarnofsky, for which objections are due on April 29, 2024. We write at this time to request a conference with the Court regarding our anticipated motion to extend sealing over the Complaint and to also seal additional anticipated filings by Defendants, including a 12(b)(6) motion and a 12(f) motion.

Specifically, while the January 25, 2024 Order states that the Court will consider Judge Tarnofsky's Report and Recommendation when determining whether to unseal the Complaint, Judge Tarnofsky did not have the benefit of that filing when she prepared her Report and Recommendation. Rather, the Magistrate Judge's Report and Recommendation was based on an anticipated complaint and not the actual Complaint filed. We therefore seek to address whether the proposed sealing of the Complaint should properly be addressed in a new motion to seal (adhering to Rule 5 of Your Honor's Individual Rules) that references the Complaint and motions in opposition thereto, or in objections to the Report and Recommendation.

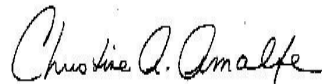
We are available for a conference with the Court at Your Honor's convenience and request same prior to the filing deadlines that are upcoming, the first of which is April 29, 2024.

GIBBONS P.C.

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Thank you for your consideration.

Respectfully submitted,



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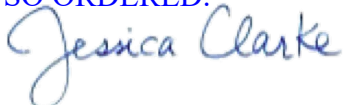
cc: Michael J. Willemin, Esq (via ECF)
Judd Burstein, Esq. (via ECF)
Jeanne M. Chistensen, Esq. (via ECF)

Defendants shall address any arguments in favor of sealing the Complaint (ECF No. 53-1) in the objection to the R&R (ECF No. 25). The deadline to object is **April 28, 2024**. *See* ECF No. 48.

Requests to seal filings made in connection with any forthcoming motion should be made by letter-motion in accordance with the Court's Individual Rules.

The Clerk of Court is directed to terminate ECF No. 60.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge
Dated: April 22, 2024
New York, New York